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**Consumer Action Network
8630 Fenton Street, Suite 604
Silver Spring, Maryland 20910**

April 29, 1999

BY MAIL

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW., Room TW-B204F
Washington, D.C. 20554

**Re: In the Matter of Telecommunications Relay
Services, and the Americans with Disabilities Act
of 1990, CC Docket No. 90-571**

Dear Ms. Salas,

Submitted herewith, on behalf of the Consumer Action Network, is an original and nine copies of its revised Response to the Telecommunications Relay Service Coin-Sent Paid Industry Team Activity Report, dated December 1, 1998. Please disregard the original April 27, 1999 Response.

Kindly refer any questions regarding this matter to the undersigned.

Respectfully submitted,

Claude L. Stout

Claude L. Stout
Chair
Consumer Action Network

Enclosures

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**RESPONSE
TO
THE DECEMBER 1, 1998
TRS COIN SENT-PAID INDUSTRY TEAM ACTIVITY REPORT
BY
CONSUMER ACTION NETWORK OF DEAF AND HARD OF HEARING
AMERICANS
APRIL 23, 1999**

INTRODUCTION:

On July 21, 1991, the FCC issued an order, CC Docket No. 90-571, requiring that all telecommunications relay services (TRS) handle relay calls with all telephones, including coin sent-paid telephones by July 26, 1993.

In November of 1993, the FCC issued an order to suspend enforcement of the requirement that relay services handle coin sent-paid calls from payphones because the Carriers reported that a technological solution to handle these calls was unavailable or rather infeasible. The suspension was for two years, to expire on July 26, 1995.

During the fall of 1994, the Industry Team, consisting of representatives from the telephone industry (including TRS providers), shared with Telecommunications for the Deaf, Inc. (TDI) the technical problems associated with retrofitting its networks so that TRS could handle all coin sent-paid calls. Among other things, the Team claimed that making technical modifications to handle these calls would incur implementation expenses as much as \$200,000,000, with recurring costs of between \$10-\$20 million annually, depending on type of CSI platform installed.

During the spring of 1995, TDI conducted several meetings between the Industry Team and representatives of deaf and hard of hearing organizations. They negotiated a solution that:

Would be feasible to the industry.

Would ensure consumers, especially those who could not afford to have either their own phones or credit cards, equal access to coin sent-paid phones.

Even though the industry and the consumers reached an interim compromise, there remained some disagreement between the length of the suspension requested

by the industry and consumers. The industry requested a five-year extension while the consumers requested two years.

On August 27, 1995, the FCC suspended enforcement of the rule requiring TRS to be capable of handling coin sent-paid calls for two years until August 26, 1997. The telephone industry was requested to comply with the compromise by the end of the suspension.

In November of 1995, the industry again met with the consumers and agreed to do the following actions during the suspension period:

All local coin sent-paid calls would be free of charges;

Generic press releases/advertising describing alternatives to coin sent-paid calls were to be advertised in various newspapers and announced through various public service announcements;

Direct mailings were to be made to potential TRS users through consumer associations and local exchange carriers;

Outreach presentations and exhibits were to be held in various local, regional and national events where TRS consumers participate;

Articles were to be included in TRS user community publications, TRS provider newsletters would be directed to TRS users, industry publications, and industry employee publications;

The industry would publish and distribute pamphlets describing the alternative plan, difference between calling and prepaid cards, and instructions on how to obtain and use cards; and

The industry would provide customer notifications in local exchange carriers' telephone directories, special TTY directories, and telephone bill inserts.

During the two-year extension of the suspension, the Consumer Action Network frequently provided lists of dates and respective contacts of various local, regional and national consumer-oriented events for use by the Industry Team to achieve these action items. Contact names for national organization events, publications, and advertising were provided.

In its 18-Month Report to the FCC, submitted March 12, 1997, the industry team stated that their alternative plan was progressing satisfactorily and requested that the plan be permanently adopted.

On June 2, 1997, consumers, in a document to the FCC, expressed their dissatisfaction with the industry's progress and opposed the permanent adoption of the Alternative Plan. The consumers at that time concluded that the industry team didn't perform their part effectively to meet the objectives of the Alternative Plan.

ORDER REQUIREMENTS:

On August 21, 1997, the FCC extended the suspension of the enforcement of the coin sent-paid rule for one more year until August 26, 1998. The industry, including the TRS providers, were directed to improve their efforts to educate TRS users about how they can contact relay service centers from payphones using either calling or prepaid cards. The FCC also directed industry to do the following:

Work with the consumer community to create and disseminate generic educational materials;

Distribute a consumer education letter;

Attend various events to disseminate materials and have booths demonstrating how to call TRS centers from payphones; and

Cooperate with affected communities in executing information and materials in organizational publications.

ACTION:

At a meeting on September 26, 1997, the Industry Team asked the representatives from Consumer Action Network (CAN) for ideas on how the CAN organizations could provide support and resources to assist the Team in complying with the FCC Order. The CAN representatives requested that the industry conduct major informational activities through a separate cooperative fund for this purpose. It was suggested that the member companies on the Industry Team contribute their percentages to the Fund. CAN drew parallels with this proposed arrangement to a similar arrangement between the National Exchange Carriers Association and the 3,000 common carriers for the TRS Interstate Fund. The idea with this proposed Fund was not received with much enthusiasm from the Industry Team. Since that date, the activities and materials have been accomplished with little expenditure by the Team.

On May 5, 1998, the Industry Team met with CAN representatives. The distribution plan for a generic educational letter and wallet-sized cards was

introduced. The consumer representatives at the meeting expressed concerns about limited information being shared with the public. The Team assured consumer representatives that they would be promoting the program aggressively, including having demonstrations in various events and have the plan posted on web sites.

Since then, reports have been received from consumers and organizations that such an educational letter was not printed in various organizational newsletters and that wallet-sized cards, if any, were left in the inconspicuous areas within TRS providers' unrelated exhibit booths. That is, such exhibits did not include prominent displays or hands-on opportunities for consumers. Program books of various events did not list any information or workshops about the Alternative Plan.

SURVEY:

To evaluate the effectiveness of the Team's internal efforts, to date, CAN conducted a preliminary survey in Summer and Fall 1998 to measure the awareness of consumers using TRS. Results from distribution of a short questionnaire of five basic questions with multiple choice answers were obtained from 106 consumers, while participating at six conferences and/or through mail.

The six conference sites were: 1) Alexander G. Bell Association for the Deaf Conference, Little Rock, AR; 2) Deaf Expo '98, Ontario, CA; 3) National Convention of the Jewish Deaf Congress, San Diego, California; 4) National Association of the Deaf Conference, San Antonio, TX; 5) National Black Deaf Advocates Conference, Indianapolis, IN; and 6) TDI Expo, Washington, DC.

The respondents were mostly well educated and their income, in general, was above average. Those who were surveyed represented approximately top 10% to 25% of the national deaf and hard of hearing population which achieve high levels of academics, and enjoy higher standards of living. They intend to be more informed than those who do not go to conferences and expositions.

The results from the survey were as follows:

56% of the respondents agreed that the payphones work with the relay services. 10% indicated that the payphones don't work with the TRS, while 34% didn't know, thus were not able to provide a definite answer.

26% confirmed that their state relay services charge them for making local calls through payphone TTYs. 31% said that their state TRS don't charge them for the local calls through payphone TTYs. Interestingly, the highest percentage, 43%

admitted they didn't know whether they were charged for these local calls via the payphone TTYs.

Respondents were asked how they paid for the local calls through payphone TTYs. 26% put in their coins. 19% used their pre-paid or calling cards and 15% processed their calls free of charge. 40% didn't know how they paid for the payphone TTY calls.

46% indicated that their state relay services charge them for making long distance calls through the payphone TTYs. 7% said that they are not charged for these long distance relayed calls. 47% didn't know if they were charged for these calls.

9% paid for the long distance calls via the payphone TTYs using coins. 37% used pre-paid or calling cards, while 5% had them for free. 49% didn't know or remember how these calls were covered.

In addition, two separate groups of eight to ten deaf Hispanics, Asians and Blacks were interviewed instead of completing the questionnaire at the Deaf Expo '98 due to their inability to read English effectively. However, since they were on welfare, they could not afford to have telephones in their home or obtain credit or calling cards. They, who would have benefited the most from the Plan, did not know that they were able to make free local TRS calls from payphones.

FINDINGS & ANALYSIS:

Consumers have been tolerant of the Industry Team's claims of financial hardship in complying with the FCC's Order requiring coin sent-paid telephones to be compatible with all relay services. Rather than require the industry to implement changes approximately \$200 million and to absorb annual recurring costs of between \$10-\$20 million to achieve such compatibility, the consumers agreed to the industry team's interim plan.

Since 1995, consumers have attempted to assist the industry team with information and recommendations to effectively carry out the Alternative Plan. CAN submitted to the Industry Team lists of dates of various events so that they could promote the plan and demonstrate the use of payphones with relay services. The Industry Team assured the consumers that they would look into the possibility of attending such activities and have exhibit booths. To date, they have made token appearances at a few of the related national conferences, and it appears there were not much effort to publicize the Alternative Plan at the exhibit areas, nor on the conferences' programs.

The Industry Team report, filed with the FCC last December, indicated that one way or another, the information and materials were provided on payphone TTY

access to TRS. The report stated that the Industry Team was represented on the subject of payphone TTY access to TRS at over 930 events across the nation. The CAN representatives met with the Industry Team on January 29, 1999 and questioned the effectiveness of its activities at these events. The CAN recommended that further documentation be made on the kind of activity conducted at each of the 930 events, such as a direct talk on this subject or the relatively simple display of the wallet-sized cards. The CAN also cited that additional information would be helpful as to how many had attended each event, whom the Industry Team representative was at the event, type of display/exhibit was provided, whether or not hands-on experiences were provided, and what questions were raised pertaining to the attendees' awareness and use of this TRS service over the payphone TTYs. We doubt there was ever a large percentage of the events that were designated to deal with this CSP TRS issue alone.

The Industry Team's efforts to educate the public at minimal costs, if any, through web sites appear to be ineffective. Many potential users of coin sent-paid phones do not have phones at home or cannot afford to have credit cards. Thus, these people without phones at home tend not to have computers and do not have access to such websites.

As the survey indicates, the Industry Team's outreach activities are not achieving results adequately to meet the FCC's Order. A significant percentage of those surveyed (44%) responded negatively to, or didn't know the fact that payphone TTYs work with relay services. 43% didn't know for sure that state relay services charge them for the local calls through the payphone TTYs. 40% didn't know which means they used to pay for local calls through payphone TTYs. 47% were in the dark about whether relay services charged them for making long distance calls through payphone TTYs. A related percentage, 49% didn't know which means they used to make these long distance calls.

Also, it is being inferred that should remaining 75% to 90% deaf and hard of hearing individuals, especially those who are not participants of the conferences or members of any organization be surveyed, the results would indicate greater deficiencies in awareness and use of the relay services from the payphone TTYs for local and long distance calls.

RECOMMENDATIONS:

The Consumer Action Network (CAN) requests that the FCC reiterate its expectations for full implementation of its Order made on August 26, 1997, with the addition of this recommendation:

That The Industry Team be directed by the FCC to immediately provide an annual funding plan after extensive consultation with the CAN representatives. The

funding plan would be adequate to address all objectives listed in the Alternative Plan as implemented in 1995; and if all objectives are met, that the Alternative Plan be adopted permanently no later than August 27, 2000.

If in event the first recommendation does not bear significant results, the FCC should proceed to implement one of the following recommendations:

The Order issued on July 26, 1991 be resumed, requiring the telephone industry, including TRS providers, redesign their switch networks to have all phones, including payphones, compatible with all relay services by August 27, 2003; or

Require the telephone industry to install at least one TTY in each payphone bank that bypasses the payphone network and be connected directly with the TRS provider(s) by August 27, 2002; or

Direct the telephone industry to make all TRS payphone calls, local and long distance, free from charges effective on August 27, 2001.

CONCLUSION:

The Consumer Action Network fully expects that the Alternative Plan be implemented completely and effectively to accomplish full access to the TRS from payphone TTYs. Designation of a separate cooperative fund by the Industry Team for outreach activities to effectively carry out the objectives of the Alternative Plan will lead substantially to further awareness, and extensive application and usage of the payphone TTYs to access TRS. We remain confident that the eventual costs of the Alternative Plan will be substantially lower than the \$200 million that would be needed to implement changes in the telephone infrastructure for direct TRS access from the payphone TTYs. The concessions that the consumer groups have made to industry on this issue should not be taken lightly, and acknowledgment be made to the fact that enormous cost savings have been reaped by the industry over the years since the Order was issued in July 1991.

Respectfully submitted by:
Consumer Action Network



Claude Stout, CAN Chair

Attachments: Questionnaire
Survey Data

Telecommunications Relay Service Coin Sent-Paid Phone Survey

Introduction:

Consumer Action Network of Deaf and Hard of Hearing Americans (CAN) is conducting a survey to evaluate the public education regarding the use of public pay phone TTYs with relay services. No names are required. Your comments will be kept confidential. Your input will be very helpful in helping us improve awareness of how to use relay services through pay phone TTYs.

Do pay phone TTYs work with relay services?

Yes:_____ No:_____ Don't know:_____

Does your state relay service charge you for making local call through the pay phone TTY?

Yes:_____ No:_____ Don't know:_____

How do you pay for your local call through pay phone TTYs?

Coins:___ Pre-paid card:___ Calling card:___ Free:___ Don't know:___

Does your state relay service charge you for making long distance call through the pay phone TTY?

Yes:_____ No:_____ Don't know:_____

How do you pay for your long distance calls through pay phone TTYs?

Coins:___ Pre-paid card:___ Calling card:___ Free:___ Don't know ___

Which state do you live in? _____

TRSCSP Awareness Survey
1998-1999

Source	Question #	Yes	No	Coins	Cards	Free	Don't Know	% Correct
AGBAD (21)	1	11	2	x	x	x	8	52%
	2	5	9	x	x	x	7	43%
	3	x	x	4	7	5	5	24%
	4	14	0	x	x	x	7	67%
	5	x	x	1	14	1	5	67%
DEAF EXPO (20)	1	11	0	x	x	x	9	55%
	2	10	0	x	x	x	10	0%
	3	x	x	3	3	0	14	0%
	4	10	0	x	x	x	10	50%
	5	x	x	4	2	0	14	10%
JDC (10)	1	7	2	x	x	x	1	70%
	2	2	5	x	x	x	3	50%
	3	x	x	3	3	2	2	20%
	4	3	2	x	x	x	5	30%
	5	x	x	1	4	1	4	40%
NAD (13)	1	3	5	x	x	x	5	23%
	2	2	4	x	x	x	7	54%
	3	x	x	3	1	1	8	1%
	4	2	2	x	x	x	9	2%
	5	x	x	1	2	0	10	2%
NBDA (12)	1	9	0	x	x	x	3	75%
	2	3	7	x	x	x	2	58%
	3	x	x	6	2	2	2	17%
	4	8	1	x	x	x	3	67%
	5	x	x	3	7	2	0	58%
TDI EXPO (9)	1	6	1	x	x	x	2	67%
	2	3	3	x	x	x	3	33%
	3	x	x	1	1	4	3	44%
	4	5	1	x	x	x	3	55%
	5	x	x	0	2	1	6	22%
MAILINGS (21)	1	12	1	x	x	x	8	57%
	2	3	5	x	x	x	13	23%
	3	x	x	8	3	2	8	10%
	4	7	1	x	x	x	13	33%
	5	x	x	0	8	0	13	38%

**TRSCSP Awareness Survey
1998-1999**

	Question #	Yes	No	Coins	Cards	Free	Don't Know	% Correct
Summary (106)	1	59	11	x	x	x	36	56%
	2	28	33	x	x	x	45	31%
	3	x	x	28	20	16	42	15%
	4	49	7	x	x	x	50	46%
	5	x	x	10	39	5	52	37%

- Question 1:** Do pay TTYs work with relay services?
Question 2: Does your state relay service charge you for making local calls through pay TTY?
Question 3: How do you pay for your local calls through pay TTYs?
Question 4: Does your state relay service charge you for making long distance calls through pay TTY?
Question 5: How do you pay for long distance calls through pay TTYs?

Remarks:

- No additional charges
- Sometimes pay TTYs work with TRS
- Collect calls only
- Can't make local or long dist calls without cards
- Automatic charges for long dist calls
- Troublesome & cumbersome to get cooperation from TRS